



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: May 14, 2009

CBCA 1183-FCIC

ACE PROPERTY AND CASUALTY INSURANCE COMPANY
f/k/a CIGNA PROPERTY AND CASUALTY INSURANCE COMPANY,
AND RAIN AND HAIL, L.L.C. (In Re: Westlake Farms II),

Appellant,

v.

DEPARTMENT OF AGRICULTURE,

Respondent.

Jamie L. Cox and Frank W. Pechacek, Jr., of Willson & Pechacek, P.L.C., Council Bluffs, IA; and Jan L. Kahn of Kahn, Soares, and Conway, Hanford, CA, counsel for Appellant.

Maria Giatrakis, Office of General Counsel, Department of Agriculture, San Francisco, CA, counsel for Respondent.

GOODMAN, Board Judge.

ORDER

On May 9, 2008, Ace Property and Casualty Insurance Company f/k/a Cigna Property and Casualty Insurance Company, and Rain and Hail, L.L.C. (In Re: Westlake Farms II), filed a notice of appeal in connection with a dispute under policy numbers WRCO-2003-00161 through WRCO-2003-00169 and WRCO-2003-00175 through WRCO-2003-00177. On May 8, 2009, appellant filed a request for dismissal with prejudice, along with an executed settlement agreement.

Accordingly, this appeal is **DISMISSED WITH PREJUDICE**.

ALLAN H. GOODMAN
Board Judge